

**IN THE CLAIMS**

Please amend the claims as follows:

Claim 1 (original): An electrochromic element having a configuration that a reductive coloration layer and an oxidative coloration layer are arranged in a facing manner between which a solid electrolyte layer is intervened;

wherein said reductive coloration layer is composed of a material containing a tungsten oxide and a titanium oxide;

wherein said oxidative coloration layer is composed of a material containing a nickel oxide;

wherein a transparent intermediate layer composed of a metal oxide other than a nickel oxide or a metal or a composite comprising a metal oxide other than the nickel oxide and a metal as a main component is placed between said oxidative coloration layer and said solid electrolyte layer, and

wherein said electrochromic element has a gray color at the time of coloration.

Claim 2 (original): An electrochromic element comprising a first electrode layer, a reductive coloration layer, a solid electrolyte layer, an oxidative coloration layer, and a second electrode layer laminated between two plate materials, and at least combination of a plate material at one side with the electrode layer of said two plate materials and said two electrode layers being made transparent;

wherein said reductive coloration layer is composed of a material containing a tungsten oxide and a titanium oxide;

wherein said oxidative coloration layer is composed of a material containing a nickel oxide;

wherein a transparent intermediate layer composed of a metal oxide other than a nickel oxide or a metal or a composite comprising a metal oxide other than the nickel oxide

and a metal as a main component is placed between said oxidative coloration layer and said solid electrolyte layer, and

wherein said electrochromic element has a gray color at the time of coloration.

Claim 3 (original): The electrochromic element according to Claim 2, wherein both of said two plate materials and said two electrode layers are made transparent, the total of said element is made transparent in the thickness direction thereof; and said electrochromic element is placed on an optical axis of an imaging element of a digital camera as an element for adjusting exposure.

Claim 4 (original): The electrochromic element according to Claim 2, wherein one combination of a plate material at one side with the electrode layer of said two plate materials and said two electrode layers is made transparent, and the electrode layer at the other side is made of a reflecting metal film to make up a reflectance-variable mirror.

Claim 5 (original): An electrochromic element having  
a substrate,  
a first electrode layer formed on said substrate in a fixed manner,  
an oxidative or reductive coloration layer formed on said first electrode layer in a fixed manner,  
a solid electrolyte layer formed on said oxidative or reductive coloration layer in a fixed manner,  
a reductive or oxidative coloration layer formed on said solid electrolyte layer in a fixed manner, and  
a second electrode layer formed on said reductive or oxidative coloration layer in a fixed manner, at least one of said first and second electrode layers being made transparent,  
wherein said reductive coloration layer is composed of a material containing a tungsten oxide and a titanium oxide;

wherein said oxidative coloration layer is composed of a material containing a nickel oxide;

wherein a transparent intermediate layer composed of a metal oxide other than a nickel oxide or a metal or a composite comprising a metal oxide and a metal as a main component is placed between said oxidative coloration layer and said solid electrolyte layer, and

wherein said electrochromic element has a gray color at the time of coloration.

Claim 6 (original): The electrochromic element according to Claim 5, wherein said substrate is made transparent, said first and second electrode layer are each composed of a transparent electrode film, a transparent plate-form sealing member is conjugated with said second electrode layer via a transparent sealing resin, the total of the element is made transparent in the thickness direction thereof, and the element is placed on an optical axis of an imaging element of a digital camera as an element for adjusting exposure.

Claim 7 (original): The electrochromic element according to Claim 5, wherein said substrate is made transparent, said first electrode layer is composed of a transparent electrode film, said second electrode layer is composed of a reflecting metal film, and a sealing member is conjugated with said second electrode layer via a sealing resin to make up a reflectance-variable mirror whose front side is at the side of said substrate.

Claim 8 (previously presented): The electrochromic element according to Claim 1, wherein said reductive coloration layer is a film of a mixture comprising a tungsten oxide and a titanium oxide as main component or a film of a mixture comprising a tungsten oxide as a main component with a titanium oxide added thereto, and said oxidative coloration layer is a film comprising a nickel oxide as a main component.

Claim 9 (previously presented): The electrochromic element according to Claim 1, wherein atomic number of tungsten contained in said reductive coloration layer is larger than atomic number of titanium.

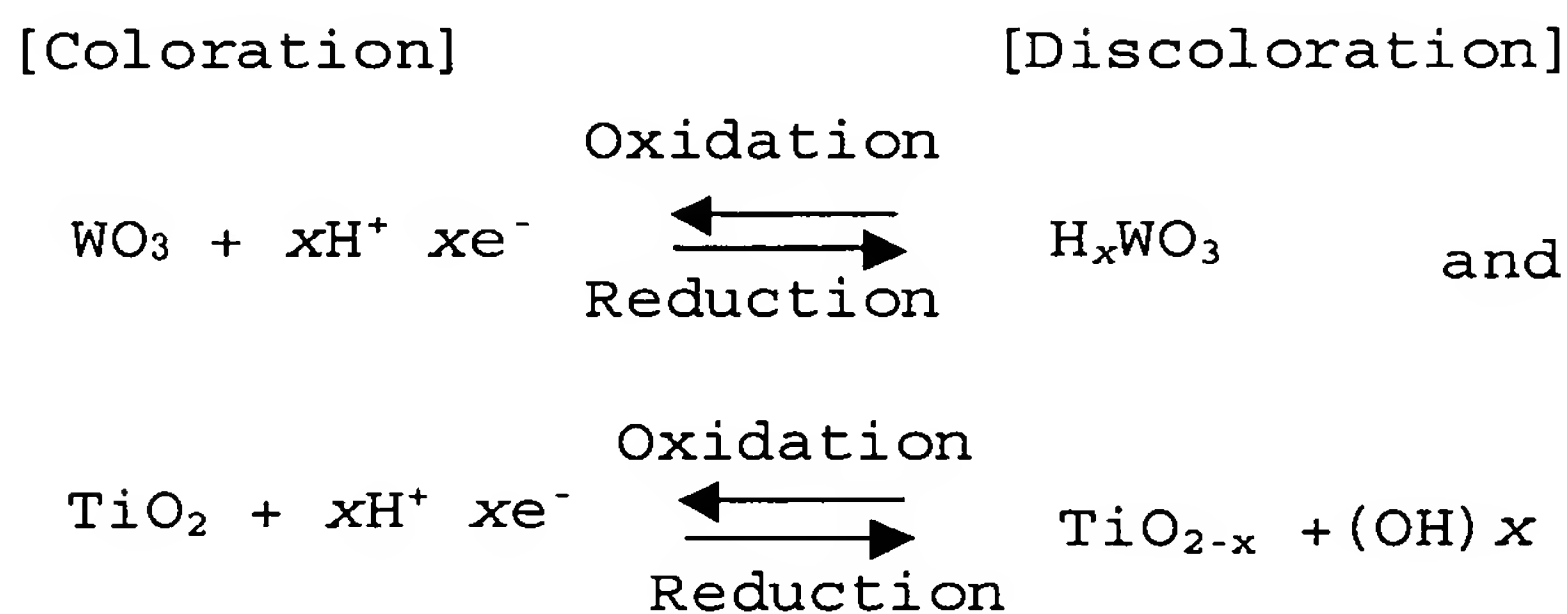
Claim 10 (currently amended): The electrochromic element according to Claim 1, wherein the proportion of titanium atom in said reductive coloration layer relative to the total atomic number of tungsten atoms and titanium atoms is from 5 to 40%, ~~preferably from 20 to 30%.~~

Claim 11 (previously presented): The electrochromic element according to Claim 1, wherein said tungsten oxide comprises  $\text{WO}_3$  as a main component, said titanium dioxide comprises  $\text{TiO}_2$  as a main component, and said nickel oxide comprises  $\text{NiO}$  as a main component.

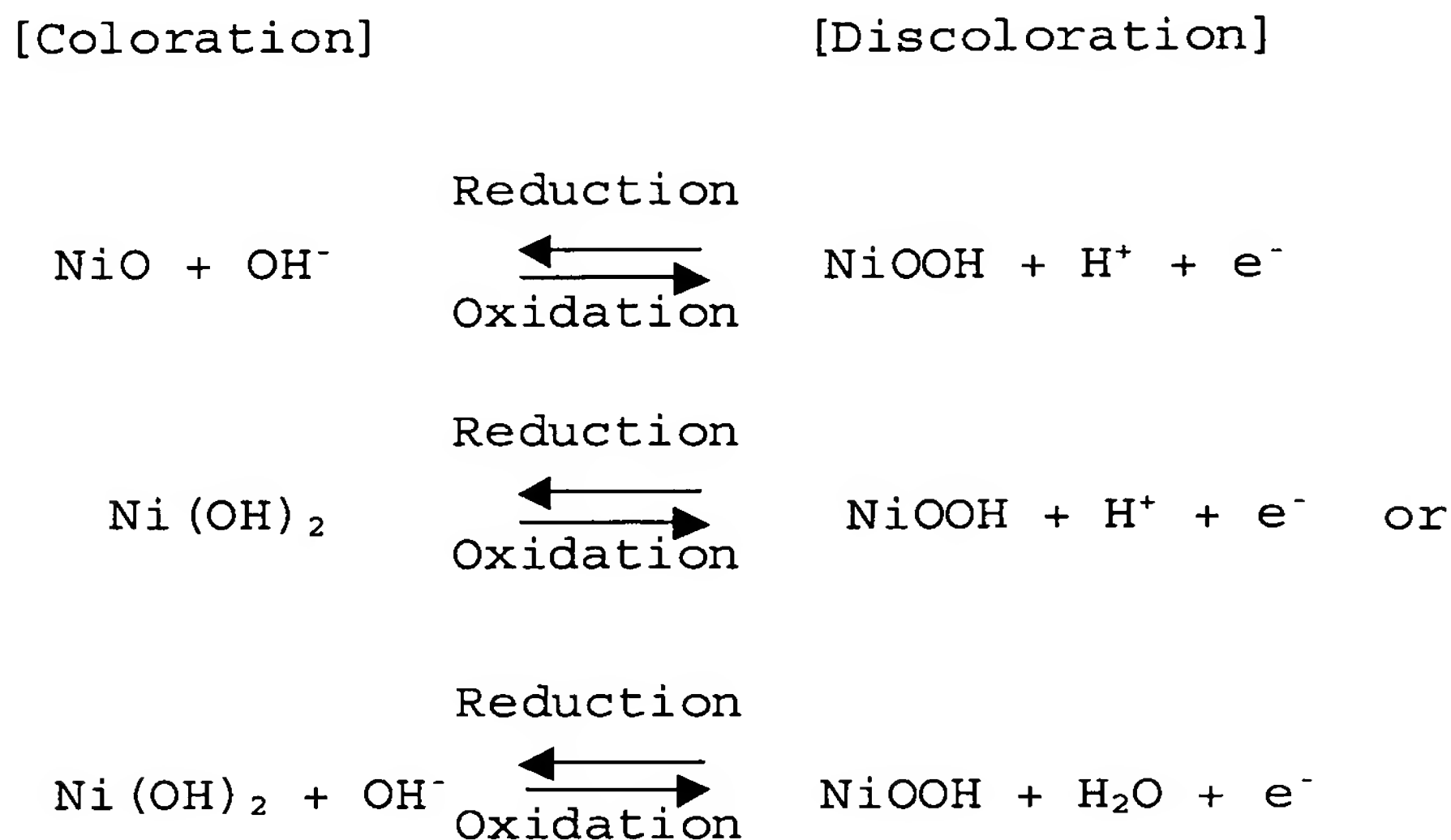
Claim 12 (previously presented): The electrochromic element according to Claim 1, wherein said nickel oxide contains  $\text{Ni(OH)}_2$ .

Claim 13 (previously presented): The electrochromic element according to Claim 1, wherein said reductive coloration layer is amorphous, and said oxidative coloration layer is crystalline, fine-crystalline or amorphous.

Claim 14 (previously presented): The electrochromic element according to Claim 1, wherein said reductive coloration layer has the reaction represented by formulae:



and said oxidative coloration layer has the reaction represented by formulae:



Claim 15 (previously presented): The electrochromic element according to Claim 1, wherein said reductive coloration layer contains components of a film formed by a two-element deposition process utilizing  $\text{WO}_3$  and  $\text{TiO}_2$  as starting materials, and said oxidative coloration layer contains components of a film formed by a deposition process utilizing  $\text{NiO}$  as a starting material.

Claim 16 (currently amended): The electrochromic element according to Claim 1, wherein the peak value at a time of coloration is not less than 1.75 V, ~~more preferably not less than 2 V~~, and not more than 3 V when both electrodes comprises transparent electrode films, and not less than 1 V and not more than 1.8 V, when one electrode comprises a transparent electrode film and the other electrode comprises a reflecting film also serving as an electrode.

Claim 17 (previously presented): The electrochromic element according to Claim 1, which is colorless at the time of discoloration.

Claim 18 (previously presented): The electrochromic element according to Claim 1, wherein said metal oxide making up said intermediate layer comprises any one of  $\text{SnO}_2$ ,  $\text{ZnO}$ ,

In<sub>2</sub>O<sub>3</sub>, ITO, Al<sub>2</sub>O<sub>3</sub>, SiO<sub>2</sub>, TiO<sub>2</sub>, Sb<sub>2</sub>O<sub>5</sub>, and ZrO<sub>2</sub>, or a composite of two or more thereof as a main component.

Claim 19 (previously presented): The electrochromic element according to Claim 1, wherein said metal oxide making up said intermediate layer comprises an electrically conductive metal oxide.

Claim 20 (previously presented): The electrochromic element according to Claim 1, wherein said metal making up said intermediate layer comprises any one of Ag, Au, Cr, Al, and Pd or a composite of two or more thereof as a main component.

Claim 21 (currently amended): The electrochromic element according to Claim 1, wherein said metal oxide making up said intermediate layer contains ~~[[no]]~~ nickel oxide ~~or if any contains~~ in an amount of less than 0.02, ~~preferably less than 0.01~~, on the weight base relative to the main component making up said intermediate layer.

Claim 22 (original): An electrochromic element comprising a transparent intermediate layer composed of a metal oxide other than a nickel oxide or a metal or a composite comprising a metal oxide other than the nickel oxide and a metal as a main component is placed between an oxidative coloration layer containing a nickel oxide and a solid electrolyte layer.

Claim 23 (currently amended): The electrochromic element according to Claim 21, wherein said metal oxide making up said intermediate layer contains ~~[[no]]~~ nickel oxide ~~or if any contains~~ in an amount of less than 0.02, ~~preferably less than 0.01~~ ~~[[,]]~~ on the weight base relative to the main component making up said intermediate layer.

Claim 24 (previously presented): The electrochromic element according to Claim 22, wherein said metal making up said intermediate layer comprises any one of Ag, Au, Cr, Al, and Pd or a composite of two or more thereof as a main component.

Claim 25 (currently amended): An electrochromic element comprising:

a transparent intermediate layer composed of a metal oxide other than a nickel oxide or a metal or a composite comprising a metal oxide other than the nickel oxide and a metal as a main component, the transparent intermediate layer being ~~[[is]]~~ placed between an oxidative coloration layer containing a nickel oxide and a solid electrolyte layer~~[[.]]~~,

wherein said metal oxide making up said intermediate layer contains ~~[[no]]~~ nickel oxide ~~or if any contains~~ in an amount of less than 0.02, ~~preferably less than 0.01~~, on the weight base relative to the main component making up said intermediate layer.

Claim 26 (previously presented): The electrochromic element according to Claim 22, wherein said metal oxide making up said intermediate layer comprises any one of SnO<sub>2</sub>, ZnO, In<sub>2</sub>O<sub>3</sub>, ITO, Al<sub>2</sub>O<sub>3</sub>, SiO<sub>2</sub>, TiO<sub>2</sub>, Sb<sub>2</sub>O<sub>5</sub>, and ZrO<sub>2</sub>, or a composite of two or more thereof as a main component.

Claim 27 (previously presented): The electrochromic element according to Claim 22, wherein said metal oxide making up said intermediate layer comprises an electrically conductive metal oxide.

Claim 28 (previously presented): The electrochromic element according to Claim 22, wherein said oxidative coloration layer comprises a nickel oxide as a main component.

Claim 29 (previously presented): The electrochromic element according to Claim 22, wherein said nickel oxide contained in said oxidative coloration layer comprises NiO as a main component.

Claim 30 (previously presented): The electrochromic element according to Claim 25, wherein said metal oxide making up said intermediate layer is SnO<sub>2</sub> and the thickness of thereof is less than 70 nm.

Claim 31 (previously presented): The electrochromic element according to Claim 25, wherein said solid electrolyte comprises Ta<sub>2</sub>O<sub>5</sub> as a main component.

Claim 32 (new): The electrochromic element according to Claim 10, wherein the proportion of titanium atom in said reductive coloration layer relative to the total atomic number of tungsten atoms and titanium atoms is from 20 to 30%.

Claim 33 (new): The electrochromic element according to Claim 16, wherein the peak value at a time of coloration is not less than 2 V.

Claim 34 (new): The electrochromic element according to Claim 21, wherein said metal oxide making up said intermediate layer contains no nickel oxide.

Claim 35 (new): An electrochromic element according to Claim 25, wherein said metal oxide making up said intermediate layer contains nickel oxide in an amount of less than 0.01 on the weight base relative to the main component making up said intermediate layer.

Claim 36 (new): An electrochromic element according to Claim 25, wherein said metal oxide making up said intermediate layer contains no nickel oxide.